

**PROPOSED LOCAL RULES**  
**(Effective 7/1/16)**

The Kings County Superior Court proposes to add or amend the following Local Rules:

**RULE 104 - Court Attire and Conduct**

A. No person shall appear in Court barefoot, shirtless, wearing a tank top, wearing sunglasses, or dress in any manner reflecting poorly upon the dignity of the Court and its decorum. The bailiffs of the Court are to remove any person violating this rule. This rule does not limit any judge from additionally prescribing appropriate attire or conduct rules in the Courtroom.

B. Cellular phones, pagers, digital cameras, video recorders, and all other electronic communication or recording devices not specifically authorized by a judge, must be turned off prior to entering the Courtroom. Any cellular phone, pager, digital camera, video recorder, or other electronic communication or recording device that disrupts the proceedings or is used/possessed in violation of this rule, shall be subject to confiscation by the bailiffs of the Court.

C. For reasons of safety and security, all persons appearing before the Court are asked to keep their hands in plain sight.

D. All persons entering the Court, Family Services Division or Jury Services area, will be subject to a search. No weapons are allowed within any Court facility, except those legally possessed by judicial officers. Peace officers who are engaged in the duties of their employment while at a Court facility will be allowed to possess employer approved firearms and other weapons in a manner consistent with their employment duties, requirements and limitations. (Eff. 1/1/99; as amended, eff. 7/1/08; amended 7/1/16.)

**RULE 113 – Submission of Documents for Filing**

A. Except as otherwise ordered by a judicial officer, parties may not submit documents to courtroom clerks and/or judicial officers for filing. All documents to be filed with the court must be submitted via the Clerk's Office or the court's electronic filing system.

B. Documents allowed by a judicial officer to be submitted for filing in a courtroom may experience a delay in being entered into the court's electronic records system. The providing of conformed copies may also be delayed.

C. Regarding **conventionally filed** documents:

1. All documents must comply with the requirements of California Rules of Court, rule 2.100, *et. seq.*, and be in a condition which allows them to be scanned into the court's electronic case management system. Light-colored pencil writings, physical objects, pages measuring more or less than 8 ½" x 11" and, without limitation, pages which have been excessively folded or creased, are generally unable be entered into the court's electronic system.

2. In order to facilitate the easy cross-referencing of exhibits, all pleadings, motions, declarations and other documents filed with the court must individually designate and separate each exhibit through the use of a single 8 1/2" by 11" page with the exhibit designation set forth in the middle of the page in type not smaller than 12 points. For example: **EXHIBIT 1**

3. All pleadings, motions, declarations and other documents filed with the court which include attached exhibits must be numbered sequentially beginning on page 1 of the motion, declaration or pleading, and continuing in order until the last page of the last exhibit attached thereto. Exhibit designation pages shall be included in the sequential numbering.

4. Exhibit stamps should not be used to create the exhibit designation. Exhibit designators must typewritten or handwritten, as stamps are not able to be searched by optical character recognition (OCR).

5. Due to the fact that they cannot be easily scanned into the court's electronic case management system, exhibit tabs or other dividers which cause the page to exceed 8½" x 11" should not be used to separate exhibits from pleadings, motions, declarations or other documents.

6. All pleadings, motions, declarations and other documents filed with the court which include more than one attached exhibit must include an index which sets forth a description of the exhibit, its exhibit designation, and its page number. For example:

<b>Description</b>	<b>Location</b>	<b>Page</b>
<b>Contract</b>	<b>Exhibit 1 to Declaration by John Doe</b>	<b>23</b>
<b>Statement</b>	<b>Exhibit 2 to Declaration by John Doe</b>	<b>25</b>

The index should be located immediately before the first exhibit designation page and included in the sequential numbering provided for in paragraph (B).

D. Conventionally filed documents failing to comply with these rules may be rejected by the Clerk of the Court and/or otherwise have their filing and entry into the court's electronic case management system delayed.

E. Documents electronically filed with the court must comply with the requirements set forth in Local Rule 126. (Eff. 7/1/15; as amended, 7/1/16.)

### **RULE 121 – Complaints Concerning Subordinate Judicial Officers**

A. All complaints against Subordinate Judicial Officers (“SJOs”) and Temporary Judges (“Pro Tems”) shall be submitted in writing. The court has adopted local procedures for the processing of complaints against SJOs and Pro Tems for conduct that does not fall within the jurisdiction of the Commission on Judicial Performance. A copy of such local procedures and an *optional* complaint form may be obtained from the Administrative Office of the Kings County Superior Court, 1640 Kings County Drive, Hanford, California 93230.

B. Complaints must include the name, mailing address and contact information for the Complainant. Complaints should be addressed as follows:

Mr. Jeffrey Lewis, CEO  
SJO/Pro Tem Program  
Kings County Superior Court  
1640 South Drive  
Hanford, California 93230

C. All complaints alleging conduct that is within the jurisdiction of the Commission on Judicial Performance will be processed in accord with California Rules of Court, Title Ten, Judicial Administration, Chapter 2, Trial Court Management of Human Resources, rule 10.703. Rule 10.703 may be found on-line at the Judicial Council’s website [www.courtinfo.ca.gov/rules](http://www.courtinfo.ca.gov/rules). (Eff. 7/1/11, as amended 7/1/16)

### **RULE 123 – Appointment of Medical Examiners**

A. The court appoints medical examiners and/or mental health experts for reports or testimony as provided by law. When the need for this arises, the court will appoint from the approved List of Medical Examiners/Mental Health Experts for the Kings County Superior Court. Individuals wishing to be included on the court’s List of Medical Examiners/Mental Health Experts, must complete and submit a Medical Provider/Expert Certification. The Certification is available through the court’s website or may be obtained from the office of the Court Executive Officer. The completed Certification shall be forwarded to:

Kings County Superior Court  
Attention: Court Executive Officer  
1640 Kings County Drive  
Hanford, California 93230

B. The court may, for good cause, appoint an expert not on its approved List of Medical Examiners/Mental Health Experts.

C. Upon receipt of a medical examiner's Certificate and all supporting documents, the court will confirm that the examiner's license is valid and in good standing with appropriate licensing agencies. If the applicant's license is in good standing, the Certificate and supporting documents will be forwarded by court administration to each bench officer for review. Bench officers will thereafter forward to court administrators, all comments and objections that they may have to the examiner's inclusion on the court's approved List of Medical Examiners/Mental Health Experts.

D. The Presiding Judge shall make the final determination as to which individuals appear on the court's approved List of Medical Examiners/Mental Health Experts.

E. All medical examiners and mental health experts applying for inclusion on the court's List of Medical Examiners/Mental Health Experts, shall be advised in writing by court administration of the final determination of the Presiding Judge. Court administration shall retain proof in writing that the examiner was provided with such notice.

F. It is the responsibility of all individuals appearing on the approved List of Medical Examiners/Mental Health Experts, to update court administration regarding any changes/amendments to licensing status, contact information, or other information included on their Certificate.

G. The court's approved List of Medical Examiners/Mental Health Experts shall be updated and distributed to all bench officers and appropriate court staff at an interval of not less than once per year. The list may, however, be updated more frequently as is deemed appropriate to provide bench officers and staff with information relevant to the appointment of experts in pending legal matters.

H. Medical examiner/mental health expert appointments made by the court are made on a rotational basis unless the judicial officer presiding over a case determines that good cause exists for deviation from the rotation. (Eff. 1/1/13, as amended 7/1/16)

#### **RULE 722 - Entry of Default**

Envelopes provided to the Superior Court Clerk for mailing to parties on entry of default must contain the return address of the Superior Court Clerk, not the address of the moving party.

The Court's address is: Clerk of the Superior Court, 1640 Kings County Drive, Hanford, CA 93230. Case Number \_\_\_\_\_. (Eff. 7/1/08, as amended 7/1/16)

#### **RULE 730 - Judicial Notice in Family Law Matters**

A. All Requests for Judicial Notice must comply with the requirements set forth in subdivision (c) of Rule 3.1306 of the California Rules of Court, and relevant sections of the California Evidence Code.

B. Any party requesting that judicial notice be taken of a fact or document shall:

1. Simultaneously with the filing of the Request for Judicial Notice, provide the Clerk of the Court with a written list of those Kings County Superior Court hardcopy case files which will need to be delivered to the judicial officer ruling on the Request ("List"). The List may be formatted as a letter or a pleading, but must contain the case number, case name, name of the relevant document to be judicially noticed, and its filing date. If all documents to be judicially noticed are contained within the record of the case in which the Request is pending or in case files which are entirely within the electronic record of the court, a List is not required.

2. Include within the Request for Judicial Notice, a description of any fact to be judicially noticed and the specific document(s) evidencing such fact.

**Example(s):**

1. Conviction (Count 1 - Penal Code §182) - Abstract of Judgment filed 1/1/15 in Kings County Superior Court Case No. 14CM0000, People v. John Doe

2. Judgment entered in favor of John Doe for \$10,000.00 - Notice of Entry of Judgment, filed 1/1/15 in Fresno County Superior Court Case No. 14CIV0000, John Doe v. Sue Smith.

3. John Doe's Purchase of Real Property located at 777 Cottonwood Lane, Hanford CA - Deed of Trust, recorded in Kings County on 2/1/15.

3. Include within the Request for Judicial Notice, the title and date of any document to be judicially noticed. If the document has been filed or recorded, the Request must include its filing/recording date, as well as other information relevant to identifying its location.

**Example(s):**

1. Abstract of Judgment filed 1/1/15 in Kings County Superior Court Case No. 14CM0000, People v. John Doe

2. Deed of Trust recorded on 3/1/15 in Fresno County

3. Contract for Sale signed on 5/1/15

4. Attach to the Request a certified copy of any document to be judicially noticed or referenced, which is not already on file with the Kings County Superior Court.

C. The written list and Request for Judicial Notice must be served on all parties to the litigation. Proof of Service shall be filed with the court in a timely manner. (Eff. 7/1/16)